

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 1270 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? Yes
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?
2 to 5 No

LILABHAI BOGHABHAI RABARI

Versus

STATE OF GUJARAT

Appearance:

MR YN OZA for Petitioners

Mr. N.D. Gokhil, APP for Respondent No. 1

CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 20/04/98

ORAL JUDGEMENT

Heard learned Advocate Mr. Y.N. Oza for the petitioners. Learned APP Mr.Gohil waives service of rule on behalf of the State. The parties have not pressed for reasoned order.

Having regard to the facts and circumstances apparent from the material produced on record and particularly the fact that injured witness has been

discharged from the hospital, it is ordered that petitioners be admitted to bail on each of them executing a personal bond of Rs. 5,000/- (Rupees five thousand only) and furnishing one surety for the like amount to the satisfaction of the lower court and subject to the following conditions:

- (a) not to take undue advantage of their liberty or misuse their liberty;
- (b) not to act in a manner injurious to the interest of the prosecution;
- (c) maintain law and order;
- (d) mark their presence before Himatnagar Town Police Station on every week till the chargesheet is filed, any time between 9.00 a.m. and 2.00 p.m.;
- (e) not leave the local limits of Village Mehtapura for a period beyond three days without the prior permission of the Sessions Judge at Himatnagar, District Sabarkantha .
- (f) furnish the address of their residence at the time of execution of the bond and shall not change their residence without prior permission of this Court;
- (g) petitioners are directed not to cause any breach of peace, otherwise, the prosecution shall be at liberty to move for cancellation of bail.

If breach of any of the above conditions is committed, the Sessions Judge at Himatnagar, District Sabarkantha will be free to issue warrant or take appropriate action in the matter.

Rule is made absolute accordingly. No order as to costs. Direct Service is permitted.

p.n.nair